

C I V I L I A N R E V I E W B O A R D
P U B L I C S E S S I O N M I N U T E S

August 18, 2016

Present at the meeting were Civilian Review Board members Keisha Allen (Chair, Southern District), John Wesby (Secretary, Southeastern District), Mary Denise Davis (Northern District), Joyce Green (Central District), Odessa Neale (Northwestern District) and Mike Ross (Northeastern District).

Also present were:

Kisha A. Brown, Director of the Office of Civil Rights and Wage Enforcement
Evangula Brown, CRB Investigator
Shaun Clark, CRB Investigator
Sgt. Norman Coleman, School Police
Deputy Eric Cox, Sheriff's Office
Amy Cruice, ACLU
Lt. Victor Gearhart, Fraternal Order of Police
Chief Rodney Hill, Internal Affairs Division
Michele Masters, Office Manager
Paul McGrew, Fox45 News
C. McCormick
Brittany Oliver, ACLU
Sheri Redwood, University of Baltimore School of Law
Jesmond Riggins, CRB Supervisor

I. Welcome

Chair Allen welcomed everyone to the Civilian Review Board meeting, which was hosted at the Office of Civil Rights and Wage Enforcement, on 7 E. Redwood Street, 9th floor. The meeting was called to order at approximately 6:00 p.m.

II. Minutes

A motion to accept the June 16, 2016 minutes was made by John Wesby, seconded by Odessa Neale, and all were in favor. The minutes were approved as submitted.

III. New Complaints

New complaints PD062-16 through PD075-16 were reviewed by the Board, who voted as follows:

PD062-16	CRB Investigation
PD063-16	CRB Investigation
PD006-16	CRB Investigation
PD064-16	CRB Investigation
PD065-16	CRB Investigation
PD066-16	Need to verify jurisdiction, hold off voting until next meeting
PD067-16	CRB Investigation
PD068-16	CRB Investigation
PD069-16	CRB Investigation
PD070-16	CRB Investigation
PD071-16	CRB Investigation
PD072-16	CRB Investigation
PD073-16	CRB Investigation
PD074-16	CRB Investigation
PD075-16	CRB Investigation

IV. Completed Investigations

<u>CRB#</u>	<u>IAD#</u>	<u>Board's Finding</u>
NO CRB	15-0498	Not Sustained Both Counts
PD034-14	14-02452	AL- Not Sustained FA, FI, EF-Sustained

Board members felt that excessive force was used on the complainant by the police officer for a trivial offense. All testimonies regarding this incident were consistent in stating that force was excessive and arrest unnecessary. The evidence at Central Booking did not corroborate the charges (that the complainant had no money). The officer accused complainant of not having enough money, although the complainant paid in advance and had more than enough money on her to make the payment. Also, the two witnesses corroborated the complainant's statement. Therefore the arrest and imprisonment were on false pretenses.

PD014-15	15-0035	Sustained Both Counts
<i>The complainant was arrested for trespassing, although he was escorted out of the establishment and arrested on the sidewalk, which was public property. Chief Hill noted that the sidewalk was owned by Power Plant Live, while representatives Neale and Green stated that the sidewalk was owned by the City of Baltimore. It was noted by Board members that there was consistency among</i>		

all interviewees that the complainant was filming with his cell phone, the cell phone was taken out of his custody, and the film was removed when it was returned to him. There was no basis for arrest. The complainant was further charged with 2nd degree assault, which was unfounded as no one on the scene was injured or made assault claims.

PD037-15 15-0471 Not Sustained Both Officers

PD056-15 15-0522 Not Sustained

PD018-16 16-0059 Not Sustained

Representative Wesby noted that although there was not enough evidence to prove the complainant's allegations, he believes the complainant's statement, and stated that this was an example of overly aggressive policing. Chair Allen seconded the statement.

SCH024-16 16-005 Sustained

Votes were sustained based on all evidence and witness statements being consistent with complainant's allegations. Representative Wesby noted that officer should be reprimanded, and was informed that reprimand occurred.

V. Director's Report

Director Brown began the report by welcoming new Board member Mike Ross, and new members of the CRB staff. With these additional resources, we believe that we will be more thorough and able to better handle cases.

Director Brown addressed the previous email policy to Board members, and assured that new complaint emails would still only be sent out on Tuesdays, and completed cases would be sent in ample time before meetings, in order to respect Board members' schedules and outside commitments.

Director Brown noted that the Department of Justice Report on the Baltimore Police Department had been released. Board members were encouraged to read as much of the report as they could, particularly the Executive Summary, which was sent to them via email. The CRB was mentioned in the report in pages 148-149, and it was noted that there was a need to review the CRB's authority, reach and funding. Director Brown noted that CRB Board members would be updated as the situation evolves.

VI. Old Business

Ms. Cruice of the ACLU asked Chief Hill how many of the 800 backlogged cases are CRB eligible. Chief Hill responded that he believed about 105 were eligible. Ms. Cruice noted that 105 was the number of expired cases, not eligible cases. Ms. Cruice noted that they did not address how many transfer cases fit into CRB eligibility. Chief Hill stated that he believed that none were CRB eligible but would get back to the Board with a definite answer.

VII. New Business

Board members requested an update on the Civil Rights Breakfast. Director Brown noted that we have not secured a speaker, but are currently looking at dates in November. This year will be the 60th Anniversary of the Community Relations Commission, which was the predecessor to the Civilian Review Board, therefore they wanted to have a particularly distinguished speaker to mark the occasion. Director Brown noted that we were pursuing a number of leads and would keep Board members posted.

Board Member Neale noted that Chief Hill should be asked about jurisdiction in case PD066-16, since he was not present for the previous discussion. It was noted that the case was provided to Sgt. Willis. Chair Allen noted that we had received several cases from this complainant before that were problematic to investigate. It was noted that several locations are mentioned in the complaint, some within Baltimore City limits, and some outside. It seems that the issue is with the Bank of America as no police officers are mentioned. Chief Hill noted that IAD is not investigating the case. Board Member Davis noted that she had originally voted to have investigators look into it to determine if there was an actionable complaint, but did not want to use up resources if there was no complaint. However, she was also concerned about ignoring a complaint, especially when the complainant has complained multiple times. Chair Allen asked Chief Hill why the IAD has not chosen to investigate the case. Chief Hill stated that he was not presently aware of the reason, but that he would confirm the reason and respond with an email the following day. He asked that we send him a reminder email. Ms. Cruice asked if CRB investigators had access to the BPD database so that they could compare complaint notes with BPD rosters. Director Brown stated that we do not have access to those rosters, but that it would be a subject we would continue discussing.

VIII. Adjournment

Chair Allen thanked all present for their attendance. There being no further business, the Public Session meeting adjourned.

Respectfully submitted,

Jill Muth